

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2004/004084

International filing date (day/month/year)
27.09.2004

Priority date (day/month/year)
26.09.2003

International Patent Classification (IPC) or both national classification and IPC
H04Q1/14

Applicant
HELLERMANNTYTON DATA LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2004/004084

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2004/004084

Box No. II Priority

1. ☒ The following document has not been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. ☐ It has not been possible to consider the validity of the priority claim because a copy of the priority document was not available to the ISA at the time that the search was conducted (Rule 17.1). This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

4. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	3,4,7-26
	No: Claims	1,2,5,6
Inventive step (IS)	Yes: Claims	
	No: Claims	1-26
Industrial applicability (IA)	Yes: Claims	1-16
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following document:

D1: US-B-6 330 3071 (BLOCH BRIAN MATTHEW ET AL) 11 December 2001 (2001-12-11)

1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1, 2, 5 and 6 is not new in the sense of Article 33(2) PCT.

1.1 The document D1 discloses (the references in parentheses applying to this document):

A structured cabling system comprising at least two patch panels (D1:col. 2 line 12-21) each having a plurality of jacks, an indicator means associated with each jack, each said indicator means being operable by an applied signal to provide a signal which identifies the jack associated with that indicator means, and sensor means associated with each jack to provide an indication of the presence or absence of a plug connected to the jack (D1: col. 3 lines 20-38).

Therefore the subject-matter of claim 1 is not new.

1.2 Dependent claims 2, 5 and 6 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty, since all the features are already disclosed in (D1: col. 4 lines 36 - 61; col. 5 lines 22-31)

2 The independent claims 12 and 26 do not meet the requirements of the PCT in respect of inventive step.

The independent claim 12 differs from the corresponding independent claim 1 in that the indicator means actuate in sequence pairs of jacks. This feature is merely one of several straightforward possibilities from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill, in order to solve the problem associated with tracing a plurality of patch cords.

Hence the independent claim 12 lacks inventive step.

The independent claim 26 differs from the corresponding independent claim 1 in that the jack has two partial shielding cans which are electrically isolated from each other, said cans, in use, being engaged by at least one contact formed on a plug which mates with said body in order to effect the electrical connection between said cans. Document D1 discloses a system allowing the use of any kind of sensors (D1 col. 4 lines 38-51), the present jack is a small constructional detail which allows another type of sensor to be used and which comes within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. Consequently, the subject-matter of claim 26 also lacks an inventive step.

- 3 Dependent claims 3, 4, 7-12 and 13-25 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step.

The sensor from claim 3 and the jack of claim 4 are slight constructional changes in the system of claim 2 which come within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. Consequently, the subject-matter of claims 3 and 4 also lacks an inventive step.

The continuity checking of the jacks as in claim 7 and the sequential checking of the connections as in claim 8 which identifies the pairs of jacks as in claim 9 and indicates this in an alternating way between the first and second patch panel as in claim 10 and using a timer to go to the next connection to be checked in the sequence as in claim 11 are all design options which come within the scope of the customary practice followed by the persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. Consequently, the subject-matter of said claims lacks an inventive step.

The features of claims 13-16 are already disclosed in D1. (D1: col. 3 lines 20-38; col. 4 line 5 - col. 5 line 35)

The features of claims 17-25 are slight constructional changes in the system of claim 12 which come within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. Consequently, the subject-matter of claims 17-25 also lacks an inventive step.